

**REMARKS**

**I. STATUS OF THE CLAIMS**

In accordance with the foregoing claims 5-8, 11-13, 16-18, 20-25 are pending and under consideration.

**II. OBJECTION TO THE DRAWINGS**

In the Office Action at paragraph 2, page 2, the Examiner objected to the drawings. The Examiner stated that "a light intensity measuring unit" in claims 5, 6, and 20 must be shown or the feature canceled from the claims.

It is respectfully submitted that the light intensity measuring unit is clearly described in paragraph [00103] of the specification as the level monitor 22. Accordingly, the drawings do not need to be amended since the "light intensity measuring unit" feature is shown in the drawings as the level monitor 22.

**III. CLAIMS 5, 6, 20, 22-25 ARE PROVISIONALLY REJECTED ON THE GROUND OF NONSTATUTORY OBVIOUSNESS-TYPE DOUBLE PATENTING AS BEING UNPATENTABLE OVER CLAIMS 1-9 OF COPENDING APPLICATION NO. 11/094,743 AND OVER CLAIMS 1-14 OF COPENDING APPLICATION NO. 10/808,579.**

Terminal disclaimers have been filed in regards to both co-pending applications 11/094,743 and 10/808,579, respectively. According, it is respectfully submitted that the rejection is overcome.

IV. CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

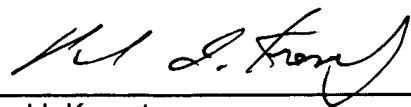
If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

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By:



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